

Communiqué

10 May 2019

April 2019 meeting of the Occupational Therapy Board of Australia

The Occupational Therapy Board of Australia (the Board) is established under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

The Board meets face-to-face each month to consider and decide on any matters related to its regulatory functions within the National Registration and Accreditation Scheme (the National Scheme).

This communiqué aims to inform stakeholders of the work of the Board.

The Board met on 30 April 2019 at the AHPRA Office in Melbourne.

Landmark decision in a criminal matter

The Board noted the decision made by the Tasmanian Magistrates' Court in Launceston with regard to Mr Michael Dempsey, physiotherapist who admitted to knowingly holding people out as registered occupational therapists and physiotherapists, when they were not, at various aged care facilities in Tasmania.

Australian Health Practitioner Regulation Agency (AHPRA) started its investigation into Mr Dempsey after receiving a complaint from a registered chiropractor employed by Mr Dempsey's company Libero Health Care Pty Ltd (Libero).

On 21 January 2019, Libero was placed into liquidation and is no longer trading and, on 27 September 2018, Mr Dempsey had his registration as a physiotherapist suspended by the Physiotherapy Board of Australia (PhysioBA).

Following its investigation, AHPRA alleged that Libero was engaging unregistered people to provide regulated health services, specifically complex health care to residents at aged care facilities. AHPRA also alleged that the people held out by Libero to deliver services were not registered practitioners and had been instructed to falsely assume/sign the names of registered practitioners when providing treatment to residents in the aged care facilities they visited.

The people held out came from unrelated sectors including hospitality and transport, to provide pain management services to around 78 patients whose ages ranged from 67 to 99 years of age across several aged care facilities in Tasmania.

On 19 February 2019, Mr Dempsey pleaded guilty to charges of holding out 11 people as registered physiotherapists or occupational therapists, when they were not.

On 30 April 2019, in a landmark decision, the Tasmanian court convicted Mr Dempsey and has imposed the largest fine (\$120,000) in Australia against an individual for offences under the National Law.

The Board has published a joint media statement with the PhysioBA on its website at <https://www.occupationaltherapyboard.gov.au/News/2019-04-30-landmark-case-suspended-physio-largest-fine.aspx>.

Australian occupational therapy competency standards

The Board's *Australian occupational therapy competency standards* (the competency standards) have been in effect since 1 January 2019.

The competency standards focus on four conceptual areas of occupational therapy practice: professionalism, knowledge and learning, occupational therapy process and practice, and communication. The competency standards specifically acknowledge the need for occupational therapists to enhance their cultural responsiveness and capabilities with respect to Aboriginal and Torres Strait Islander Peoples.

The Board has been considering the publication of case studies in its future newsletters illustrating the application of the competency standards in practice, the publication of an easy-read document for consumers and members of the public and the scheduling of a webinar for occupational therapists.

Quarterly registration data released

The Board publishes quarterly data profiling Australia's occupational therapy workforce, including a number of statistical breakdowns about registrants. Registration data for the period January – March 2019 is now published on the Board's [statistic webpage](#).

Public consultation on the definition of 'cultural safety'

The Board has considered the public consultation paper regarding the proposed definition of 'cultural safety' released by the National Scheme's Aboriginal and Torres Strait Islander Health Strategy Group in partnership with the National Health Leadership Forum.

The Board discussed the proposed definition and agreed to provide some constructive feedback to this important consultation.

The consultation is open to the public and invitations to provide feedback were sent to the Board's stakeholders. The [consultation](#) is open until 5:00 pm, Wednesday 15 May 2019.

For more information read the [media release](#) on the AHPRA website.

National Scheme update

Practitioners' responsibility to support public health programs

Australia's health regulators have reminded health practitioners about their responsibility to support public health programs, including vaccination.

Regulators have spoken out to support public safety, given mounting concerns about a five year high in measles cases and an early spike in flu cases this year.

AHPRA and the National Boards for 16 professions have urged more than 740,000 registered health practitioners to take seriously their responsibilities for public health, including by helping patients to be protected from preventable illnesses.

AHPRA CEO Martin Fletcher reminded practitioners that supporting public health programs, including vaccination and immunisation, and not promoting anti-vaccination views were regulatory responsibilities.

'Registered health practitioners have a regulatory responsibility to support patients to understand the evidence-based information available,' Mr Fletcher said.

National Boards set codes, standards and guidelines, including about protecting and promoting the health of individuals and the community, which they expect registered health practitioners to meet. Read the [full media release](#).

Are your contact details up-to-date?

It is important that your contact details are up-to-date to receive renewal reminders from AHPRA and information from the Board. You can check your details via the Login icon at the top right of the AHPRA

website. Email accounts need to be set to receive communications from AHPRA and the Board to avoid misdirection to an account junk box.

Follow AHPRA on social media

Connect with AHPRA on [Facebook](#), [Twitter](#) or [LinkedIn](#) to receive information about important topics for your profession and participate in the discussion.



Keeping in touch with the Board

The Board publishes a range of information about registration and its expectations of practitioners on its website at www.occupationaltherapyboard.gov.au or www.ahpra.gov.au. Practitioners are encouraged to refer to the site for news and updates on policy and guidelines affecting their profession.

Julie Brayshaw

Chair

Occupational Therapy Board of Australia

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